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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,586	08/09/2001	Amado Nassiff	BOC9-2000-0032(178)	2981

7590

04/08/2003

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EXAMINER

BROADHEAD, BRIAN J

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 04/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/925,586

Applicant(s)

NASSIFF ET AL.

Examiner

Brian J. Broadhead

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1, 2, 3, 4, 5, 7, 8, 9, 11, 12, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Palomo et al., 6405126.

As per claim 1, 2, 3, 4, 5, 6, and 7, Palomo et al. disclose identifying navigation information for at least one destination(102) selected by a user of said vehicle on lines 25-30, on column 9; storing the navigation information in at least a first memory remote from the vehicle(16) in response to at least one input entered by said user; transferring the navigation information from the first memory to a self contained navigation device in the vehicle(104); and navigating the vehicle to the destination using the navigation device and the navigation information(108); the navigation information comprises location data and GPS coordinates on lines 10-20, on column 1; the identifying step is performed on a personal or handheld computer on lines 45-50, on column 2; the identifying step is performed using navigation information system on lines 50-55, on column 2.

As per claim 6, Palomo et al. disclose the identifying step is performed on a web site on lines 35-67, on column 8

As per claim 8, Palomo et al. disclose the location data is stored on a portable storage media, the portable storage media being transferred to the vehicle to transfer the navigation information to the navigation device in the vehicle on lines 60-65, on column 2.

As per claim 9, Palomo et al. disclose the memory is connected to a network, the navigation device being wirelessly connectible to the network for receiving the navigation information from the network on lines 37-50, on column 8.

As per claim 10, Palomo et al. disclose the data is placed into a queue, the navigation information being removed from the queue when the navigation device is connected to the network in response to at least one input entered by said user on lines 45-55, on column 8.

As per claim 11, Palomo et al. disclose the step of converting the navigation information to a format recognizable to the navigation device(103).

As per claims 12 and 13, Palomo et al. disclose the storage medium is an optical disk on lines 5-20, on column 9; and the storage medium is a removable solid state memory device on lines 1-5, on column 9.

### ***Response to Arguments***

3. Applicant's arguments filed 1-23-03 have been fully considered but they are not persuasive. The main argument deals with Palomo et al. disclosing the a rental car agency operator enters the information for the vehicle user. But Palomo et al. also

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disclose on lines 20-35, on column 9, that the vehicle operator can enter his own destinations by use of a voice recognition system. This reads on the current claims. As per the arguments with respect to claim 6 and the user entering the destination information via a web site. Upon further review of the Palomo et al. reference, it does read on the claim because the user can enter the destination information and then this information is transferred from the rental agency to the vehicle through a public accessible network used for the internet. In this instance they refer to Metricom's network. As per the final argument that the destination information can be placed in a queue and then removed from the queue when the navigation device is connected to the network in response to at least one input entered by the user, upon further review of Palomo et al. this is disclosed. Palomo et al. describes how a list(or queue) of destinations can be set and then later retrieved while in the vehicle by connecting the vehicle through the communication network.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 703-308-9033. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on 703-308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

BJB

April 4, 2003

*Jacques H. Louis*  
JACQUES H. LOUIS  
PRIMARY EXAMINER